

United States  
Department of  
Agriculture

Forest  
Service

Manti-La Sal  
National Forest

599 West Price River Dr.  
Price, Utah 84501

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0073

Reply to: 2820

Date: November 22, 1991

Roger Zortman  
Bureau of Land Management  
Moab District  
P.O. Box 970  
Moab, Utah 84532

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Dear Roger:

The Manti-La Sal National Forest Land and Resource Management Plan requires protection of the flow and integrity of perennial streams through incorporation of appropriate stipulations in coal leases. In addition, the Surface Mining Control and Reclamation Act and associated regulations require preservation of the water balance.

During our review of the last 5-year renewal of the Mining and Reclamation Plan for the Skyline Mine, protection of perennial streams was identified as an issue. This involves mining under perennial streams and potential impacts to the flow and gradient of these drainages as a result of subsidence. When the current 5-year permit was issued by the Utah Division of Oil, Gas and Mining (UDOGM), it was identified that Mining and Reclamation Plan revisions would be required to prevent impacts to perennial streams. In the last coordination meeting between the BLM, UDOGM, and Forest Service, protection of those portions of Burnout Creek and Upper Huntington Creek which are perennial was discussed. It was agreed that lease stipulations protecting perennial drainages would be enforced for streams identified as perennial.

During completion of the Environmental Impact Statement for Rerouting of the Questar Mainline No. 41 Gas Transmission Pipeline, it was determined that Burnout Creek is perennial at least up to the forks and that there are several springs along the forks which have been identified as perennial water sources. While it is not known how far above the forks the flows are perennial, it is known that Burnout Creek supports fish in conjunction with the Upper Huntington Fishery. Burnout Creek must be protected from the effects of mining consistent with the lease stipulations.

In several proposed amendments to the Mining and Reclamation Plan, Utah Fuel Company has proposed to extract longwall panels beneath the Burnout Creek drainage. During a meeting with Utah Fuel Co., UDOGM, and the Forest Service, we stated that we would not consent to mining which could cause subsidence along perennial portions of the stream. It was then decided that Utah Fuel Co. would monitor Burnout Creek and determine which portions of the creek are perennial. Parshall flumes and meters have been installed for this purpose and monitoring is being conducted.

Lease stipulations and the current approved Mining and Reclamation Plan require that specific approval must be obtained prior to any mining under perennial streams. As of the present time the Forest Service has not consented to mining

under perennial portions of Burnout Creek. Utah Fuel Co. contends that longwall mining under Burnout Creek was approved under the original permit issued in 1980 and by virtue of BLM's approval of the Resource Recovery and Protection Plan (RRPP). We are very concerned about potential impacts to Burnout Creek from subsidence. Due to the progress of mining in the area and the discussed concerns, we feel that timely resolution of this issue is required.

Map 3.3-1 (Upper O'Connor Coal Seam Five Year Projection) shows projected longwall panels beneath portions of Burnout Creek which are known and suspected to be perennial. In order to enforce lease stipulations and protect perennial portions of Burnout Creek, RRPP modifications may be necessary. Please review the approved RRPP and determine if it is consistent with protection of Burnout Creek from the forks to the confluence with Upper Huntington Creek. Please advise us how the perennial reaches of Burnout Creek are protected in the RRPP.

We have requested data from Utah Fuel Company to make a determination as to where Burnout Creek is perennial above the forks. We will advise you of the findings. Depending on the results of monitoring in the upper reaches of Burnout Creek, additional protection zones may be necessary.

If you have any questions or wish to discuss the issue, please contact the Forest Supervisor's Office in Price, Utah.

Sincerely,

/s/Aaron L. Howe  
for  
GEORGE A. MORRIS  
Forest Supervisor

cc:  
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Lowell Braxton, Utah Division of Oil, Gas and Mining  
Gary Johnson, Bureau of Land Management  
Glen Zumwalt, Utah Fuel Company